

CUSTOMS AND EXCISE (PETROLEUM TAXES AND PETROLEUM RELATED LEVIES) ACT, 2005 ACT 685

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ACT 685

CUSTOMS AND EXCISE (PETROLEUM TAXES AND PETROLEUM RELATED
LEVIES)

ACT 20051(1)

AN ACT to revise duties, taxes and levies on specified petroleum products and to
provide for

related purposes.

1. Imposition of ad valorem duty on petroleum products

(1) There is imposed by this Act on the petroleum products specified in column 1 of the
First

Schedule ad valorem duty of 15% of the ex-refinery price of the products.

(2) The ad valorem duty shall be collected by the Customs, Excise and Preventive
Service at the

strategic storage depots for petroleum products provided for under the Energy
Commission Act, 1997

(Act 541).

2. Imposition of a fixed tax on petroleum products

(1) There is imposed by this Act on the petroleum products specified in column 1 of the First

Schedule the fixed amounts specified in relation to them in column 2 of the Schedule as petroleum tax per

litre of the products.

(2) The fixed amounts are payable to the supplier by the person to whom the product is supplied.

(3) The supplier is liable to account for the amounts to the Commissioner of Customs, Excise and

Preventive Service at the time and place determined by the Commissioner.

3. Imposition of energy levy

(1) There is imposed by this Act on every litre of the petroleum products specified in the First

Schedule, other than liquefied petroleum gas, an energy levy of ₪5,00.

(2) The energy levy is payable to the supplier by the person to whom the product is supplied at the

time of the supply.

(3) The supplier is liable to account for the energy levy to the Commissioner at the time and place

determined by the Commission.

(4) The energy fund shall constitute a part of the moneys of the Energy Fund established under the

Energy Commission Act, 1997 (Act 541) and accordingly the Commissioner shall submit the energy levy

to the Energy Commission.

4. Imposition of hydrocarbon exploration levy

(1) There is imposed by this Act on every litre of the petroleum products specified in the First

Schedule, other than liquefied petroleum gas, a hydrocarbon exploration levy of ¢10,00.

(2) The hydrocarbon exploration levy is payable to the supplier by the person to whom the product is

supplied at the time of the supply.

(3) The supplier is liable to account for the hydrocarbon exploration levy to the Commissioner at the

time and place determined by the Commission.

(4) The purpose of the hydrocarbon exploration levy is to provide money

(a) to promote exploration of hydrocarbon basins,

(b) to store geological data on hydrocarbon deposits in Ghana, and

(c) to assist with human resource development in hydrocarbon exploration.

(5) The hydrocarbon exploration levy shall be paid into the accounts directed by the Accountant-General.

5. Imposition of road levy

(1) There is imposed by this Act a road levy of the amounts specified in column 2 of the Second

Schedule in respect of the petroleum products specified in relation to them in column 1.

(2) The road levy is payable to the supplier by the person to whom the product is supplied at the time

of the supply.

(3) The supplier is liable to account for the payment of the road levy to the Commissioner.

(4) The road levy shall constitute a part of the moneys of the Road Fund established under the Road

Fund Act, 1997 (Act 536) and accordingly the Commissioner shall submit the road levy to the Road Fund

Board.

6. Cross subsidy levy

(1) There is imposed by this Act a cross subsidy levy of the amounts specified in column 2 of the

Third Schedule in respect of petroleum products specified in relation to them in column 1.

(2) The cross subsidy levy is payable to the supplier by the person to whom the product is supplied at

the time of the supply.

(3) The supplier is liable to account for the payment of the cross subsidy levy to the Commissioner.

7. Social impact mitigating levy

(1) There is imposed by this Act a social impact mitigating levy of the amounts specified in column 2

of the Fourth Schedule in respect of petroleum products specified in relation to them in column 1.

(2) The social impact mitigating levy is payable to the supplier by the person to whom the product is

supplied at the time of the supply.

(3) The supplier is liable to account for the payment of the social impact mitigating levy to the

Commissioner.

8. Application of Customs, Excise and Preventive Service Act to the Act

The Customs, Excise and Preventive Service Act, 1993(2) shall apply for the purposes of collection

of the taxes and levies imposed by this Act.

9. Interpretation

In this Act, unless the context otherwise requires,

“Commissioner” means the Commissioner of the Customs, Excise and Preventive Service;

“hydrocarbon exploration” includes exploration in respect of liquefied or gaseous substances

composed principally of hydrocarbons that occur naturally in sub-soil, sea bed and natural gas, crude

oil, oil shales, oil sand substances commonly known in the petroleum industry as gas condensate and

liquefied petroleum gas;

“supplier” means a person who sells or otherwise disposes of the petroleum products specified in

the First Schedule.

10. Repeal

Spent.3(3)

11. Commencement

Spent.4(4)

SCHEDULES

First Schedule

[Sections 1, 2, 3 and 4]

Petroleum Products Specific Excise Duty

1. Premium Petrol

2. Gas Oil

3. Residual Fuel Oil

4. Kerosene

5. Premix Fuel

6. Marine Gas Oil

7. Liquefied Petroleum Gas (LPG)

¢200.00

¢200.00

¢200.00

¢100.00

¢100.00

¢100.00

¢100.00

Second Schedule

ROAD LEVY

[Section 5]

Premium Petrol ¢600 per litre

Gas Oil ¢600 per litre

Third Schedule

CROSS SUBSIDY LEVY

[Section 6]

Premium Petrol +¢500.00 per litre

Kerosene -¢484.49 per litre

Gas Oil ¢269.87 per litre

Residual Fuel ¢139.37 per litre

Premix Fuel ¢36.08 per litre

Marine Gas Oil (local) ¢622.87 per litre

Liquefied Petroleum Gas (LPG) ¢1,840.42 per kilogram

Fourth Schedule

SOCIAL IMPACT MITIGATING LEVY

[Section 7]

Premium Petrol ¢442.56 per litre

Endnotes

1 (Popup - Footnote)

1.

The Act was assented to on 23rd February, 2005.

2 (Popup - Footnote)

2.

P.N.D.C.L. 330.

3 (Popup - Footnote)

3.

The Section provided for the repeal of certain enactments as follows:

“(1) The following enactments are repealed:

(a)

the Customs and Excise (Petroleum Taxes and Petroleum Related Levies) Act, 1998 (Act 544);

(b) the Customs and Excise Petroleum Taxes and Related Levies (Amendment) Act, 2001 (Act

593);

(c)

the Customs and Excise (Petroleum Taxes and Petroleum Related Levies) Act, 2001 (Act 603);

(d) the Customs and Excise Petroleum Taxes and Petroleum Related Levies (Amendment) Act,

2003 (Act 640).

(2)

The following Executive Instruments are hereby revoked:

(a) Customs and Excise (Petroleum Taxes and Related Petroleum Related Levies)

(Commencement) Instrument, 2001 (E.I. 15);

(b) Customs and Excise (Petroleum Taxes and Petroleum Related Levies) (Commencement) (No.

2) Instrument, 2001 (E.I. 19).”

4 (Popup - Footnote)

4.

The section provided for the commencement date as the 23rd day of February, 2005.